

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No.
	)	
ONE 1989 HARLEY-DAVIDSON	)	
FXRS SPORTS MOTORCYCLE,	)	
FRAME SERIAL NUMBER	)	
1HD1EGL1XKY110155,	)	
	)	
ONE 1999 SPECIAL	)	
CONSTRUCTION MOTORCYCLE,	)	
FRAME SERIAL NUMBER	)	
19ZWS31AAXB002748,	)	
	)	
ONE 2005 CUSTOM V-TWIN	)	
MOTORCYCLE, FRAME SERIAL	)	
NUMBER DRMBVB0000156186MO,	)	
	)	
ONE 2007 CUSTOM MADE	)	
V-TWIN MOTORCYCLE,	)	
	)	
ONE HARLEY DAVIDSON	)	
V-TWIN MOTORCYCLE,	)	
UNKNOWN YEAR, ENGINE	)	
SERIAL NUMBER 50FL1354	)	
(ALTERED),	)	
	)	
WITH ALL APPURTENANCES AND)	)	
ATTACHMENTS THEREON,	)	
	)	
Defendants.	)	

**VERIFIED COMPLAINT OF FORFEITURE**

Comes now plaintiff, United States of America, by and through its attorneys, Catherine L. Hanaway, United States Attorney for the Eastern District of Missouri, and Sam C. Bertolet,

Assistant United States Attorney, for said district, and in a civil cause of action for forfeiture respectfully states as follows:

1. In this in rem civil action the United States seeks forfeiture of certain property, currently in the possession and custody of the plaintiff pursuant to the provisions of Title 21, United States Code, Section 881.

2. Subject Matter Jurisdiction of this Court is based on Title 28, United States Code, Sections 1345, 1355(a), and Title 21, United States Code, Section 881. In Rem jurisdiction is based on Title 28, United States Code, Section 1355. Venue is proper in this district pursuant to Title 28, United States Code, Section 1355 & 1395 and Title 21, United States Code, Section 881(j).

3. The defendant property constitutes or was derived from the proceeds of a conspiracy to distribute marijuana and the distribution of marijuana obtained directly or indirectly as the result of such violation of the Controlled Substances Act, Title 21, United States Code, Section 801., *et seq.* The defendant property is therefore subject to forfeiture to the United States of America, under the provisions of Title 21, United States Code, Section 853.

4. The defendant property was seized in the Eastern District of Missouri and is now, and during the pendency of this action will be in the jurisdiction of this court.

5. At the time of seizure, Gerald Dragich claimed the motorcycles were owned by him and he has submitted claims of ownership to the defendant motorcycles.

6. The defendant 1989 Harley Davidson FXRS Sports Motorcycle is appraised at approximately \$15,000.00. The defendant 1999 Special Construction Motorcycle is appraised at approximately \$12,000.00. The defendant 2005 Custom V-Twin Motorcycle is appraised at

approximately \$29,995.00. The defendant 2007 Custom Made V-Twin Motorcycle is appraised at approximately \$24,995.00. The defendant Harley Davidson V-Twin Motorcycle is appraised at approximately \$8,000.00.

7. On or about June 24, 2008, the defendant motorcycles were seized from Gerald Dragich by the Drug Enforcement Administration. The plaintiff alleges the defendant property is subject to forfeiture and for its reasons states as follows:

8. Investigation has disclosed that the Invaders Motorcycle Club (hereafter referred to as IMC) is an outlaw motorcycle gang, which operates under a set of rules considered binding by its members. The IMC has several known chapters (organized groups of members with operational officers operating in loosely defined geographic areas), which are located in Indiana, Illinois, and Missouri. The IMC also maintains and operates an internet website at [www.invadersmcnation.com](http://www.invadersmcnation.com).

9. Many IMC members are identified by nicknames. Examples of nicknames utilized by IMC members are: “Breaker” - Gerald Dragich; “Sticky Steve” - Steve Morris; “Beefy” - Timothy Bartruff; “Hoosier” - Michael Ashworth; and “Noodle” - Darryl Taylor. As previously noted the IMC is considered an outlaw motorcycle gang. This means that a significant portion of the members of the gang actively engage in criminal activity, which in part benefits the motorcycle gang.

10. Source information has established that the IMC is a marijuana trafficking organization, which includes Edward “Special Ed” Bourroughf, Victor Ashworth, Gerald “Breaker” Dragich, and William “Will” Bellmore as some of the members of the IMC involved in the distribution of marijuana. The Midwest (St. Louis) IMC’s source of marijuana was in the

Phoenix, Arizona area. William “Will” Bellmore’s role in the distribution network was primarily to act as a transporter of marijuana. Mr. Bellmore made approximately two trips per month to Arizona, and would pick up 300 to 700 pounds of marijuana on each of his trips.

11. On occasion the IMC would be supplied marijuana by a Drug Trafficking Organization (DTO) headed by Robert McCloud. In September 2003, 200 pounds of marijuana were purchased from the McCloud’s DTO by the IMC. The purchase price of the 200 pounds was \$65,000.00 U.S. Currency. Information has been developed that Gerald “Breaker” Dragich, an IMC member and claimant in this matter, provided the \$65,000.00.

12. Investigators have also developed information that Mr. Dragich and other members of the IMC were involved in the organized theft of motorcycles in the Missouri and Illinois areas. These stolen motorcycles were disassembled, and new frames were used to reconstruct what appeared to be custom motorcycles.

13. On or about November 19, 2007, investigators observed a trailer identified as being used to transport marijuana by Mr. Bellmore at the residence of Mr. Dragich in Dittmer, Missouri. In December of 2007, a court authorized global positioning system (GPS) electronic device was attached to Mr. Bellmore’s truck and activated. In January of 2008, information was developed that Mr. Bellmore would be traveling from Phoenix, Arizona to Missouri. Officers with the Phelps County Sheriffs Department conducted a stop for a traffic violation of the vehicle while in route back to Missouri. A drug-detecting canine responded to the vehicle and gave a positive alert to the presence of a controlled substance. The trailer was examined and three hidden compartments were located in it, one of which contained approximately 100 pounds of marijuana.

14. On or about May 16, 2008, Mr. Bellmore's truck was tracked from Hebron, Indiana en route to Missouri. On May 17, 2008, Mr. Bellmore stopped at his residence briefly, and then continued to the residence of a Donald Emory. After a short while, Mr. Bellmore continued to make a brief stop at the residence of Mr. Dragich. Mr. Bellmore then made various stops in the Eureka and High Ridge, Missouri areas. Mr. Bellmore subsequently returned to Mr. Emory's residence later in the day for a short time, and proceeded then to make a stop at Mr. Dragich's residence. After leaving Mr. Dragich's residence, Mr. Bellmore returned to his own residence for a short amount of time then proceeded back to Hebron, Indiana. Mr. Bellmore only remained in the Dittmer area for approximately nine hours, and it is believed that Mr. Bellmore brought drugs from Hebron, Indiana to Mr. Emory and Mr. Dragich, and stopped later in the day to each of their residences to collect a form of payment.

15. On June 24, 2008, a federal search warrant was executed at the residence of Gerald Dragich in Dittmer, Missouri, by the Drug Enforcement Administration. During the search investigators seized sixteen weapons, many of them fully loaded, along with hundreds of rounds of ammunition, numerous documents, and seven motorcycles, five of which comprise the defendant property in this complaint.

16. The only person known to have a possible interest in the defendant property is Gerald Dragich.

17. By reason of these premises, the defendant property is subject to forfeiture to the United States, pursuant to the provisions of Title 21, United States Code, Section 881.

WHEREFORE, Plaintiff prays that a Warrant for Arrest be issued for the defendant property and the defendant property be condemned and forfeited to the United States of America, in accordance with the provisions of law; and that the plaintiff be awarded its costs in this action, and have such other relief as provided by law and the nature of the case may require.

Respectfully submitted,

CATHERINE L. HANAWAY  
United States Attorney

/s/ Sam C. Bertolet  
SAM C. BERTOLET, 11016  
Assistant United States Attorney  
111 South Tenth Street, 20th Floor  
St. Louis, Missouri 63102  
(314) 539-2200

DECLARATION

I, Sam C. Bertolet, declare under penalty of perjury, pursuant to Title 28, United States Code, Section 1746, that the foregoing Complaint for Forfeiture is based upon reports and information furnished to me and that the contents therein are true and correct to the best of my knowledge and belief. Executed on the 3 day of November, 2008.

/s/ Sam C. Bertolet  
SAM C. BERTOLET, 11016  
Assistant United States Attorney